C.S. 7002 (10)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

WRIT PETITION NO. 1864 OF 2004

PETITIONERS :

1. Gajadhar Pandey, S/O S.R. Pandey, Aged 39 years, Presently posted as Head Constable (No.25), Police Line Jagdalpur, District Jagdalpur (C.G.).

2. Ramesh Kumar Mishra, S/O Jagdish Prasad Mishra, Aged about 44 years, Presently posted as Constable (No.461), Police Line Jagdalpur, District Jagdalpur (C.G.).

3. Satish Kumar, S/O Santhlal Haldkar, Aged about 33 years, Presently posted as Constable (No.149), Police Line Jagdalpur, District Jagdalpur (C.G.).

4. Sivaji Tripathy, S/O Ramkaran Tripathy, Aged about 45 years, Presently posted as Constable (No.328), Police Station Nagar Nar, District Jagdalpur (C.G.).

5. Amar Nath Yadav, S/O J.N. Singh, Aged about 42 years, Presently posted as Constable (No.776), Police Line Jagdalpur, District Jagdalpur (C.G.).

6. Sushil Kumar, S/O Hiralal Haldakar, Aged about 32 years, Presently posted as Constable (No.257), Police Line Jagdalpur, District Jagdalpur (C.G.).

7. Ramsajiban Tiwari, S/O Late Shri Dwarka Prasad Tiwari, Aged about 37 years, Presently posted as

P.R. No. 1862/04
Presented by Shri H.S. Patel
dated 1-7-04
RECEIVED COPY
Clerk to A.G. Bilaspur

Received Copy
Shri Yadav
01.07.04
Clerk to Shri
VINAY HARIT
Senior Central Government Standing Counsel
CHHATTISGARH HIGH COURT

(11)

Constable (No.321), Police Line Jagdalpur, District Jagdalpur (C.G.).

Versus

RESPONDENTS :

1. Union of India
Through the Secretary, Department of Personnel, Public Grievance and Pension, Third Floor, Lok Nayak Bhawan, Khan Market, New Delhi.

2. State of Madhya Pradesh
Through the Secretary, Department of Home Affairs, Vallabh Bhawan, Bhopal (M.P.).

3. State of Chhattisgarh
Through the Secretary, Department of Home Affairs, D.K.S. Building, Mantralaya, Raipur, Chhattisgarh.

4. Director General of Police,
State of Chhattisgarh,
Raipur (C.G.).

5. Inspector General of Police (Personnel), Police Head Quarters, Raipur, District Raipur (C.G.).

6. Superintendent of Police,
District Jagdalpur (Bastar) (C.G.).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

1. PARTICULARS OF THE PETITIONERS.

As shown in the cause title.

2. PARTICULARS OF THE RESPONDENTS.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.1864/ सन् 2004

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

20/7/2004

On a mention being made, the case is taken up.

Shri S.R.J. Jaiswal for the petitioners.

Shri S.K. Beriwal, Sr. Panel Lawyer, for the Union of India.

Shri Yashwant Singh, Govt. Adv., and Shri M.P.S. Bhatia, Panel Lawyer, for the State of Chhattisgarh.

Application for urgent hearing is allowed.

Counsel for the petitioners submitted that in similar matter bearing W.P. No.578/04, orders have been passed. He prays that similar order may be passed in this case also.

Prayer is not opposed by the other side.

Having considered the facts and circumstances of the case, material on record and in view of the judgment cited above and further the legal position, the action of the State Authorities in not relieving the petitioners cannot be sustained and the petitioners are entitled for relieving.

Accordingly, the petition is allowed. The respondents are directed to relieve the petitioners within 15 days from the date of production of copy of this order.

With the aforesaid observations, this petition stands disposed of.

Consequently, M.W.P. No.1668/04 also stands disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

[पीछे देखिये